

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SYNQOR, INC.

Plaintiff,

v.

CISCO SYSTEMS, INC.

Defendant.

Civ. No. 2:14-CV-286-RWS-CMC

JURY TRIAL DEMANDED

SYNQOR'S NOTICE REGARDING CISCO BOARD SPACE EXHIBITS

Pursuant to the Court's request at the November 5, 2015 pretrial conference, SynQor hereby submits additional information regarding Cisco's untimely board space exhibits, as referenced in Category 5 of SynQor's Brief Addressing Exhibit Objections. *See* Dkt. 330 at 21-22.

Of the board space exhibits within this Category, none were produced in advance of the January 30(b)(6) deposition of Cisco's Mr. Purnell on the topic of non-infringing alternatives, and none were produced prior to the close of fact discovery.

DTX1302 through DTX 1454 were produced in the period between the service of responsive expert reports on May 9, 2015, and the May 22, 2015 30(b)(6) deposition of Mr. Purnell on a variety of topics, including "[a]ny analysis Cisco has ever performed of the value of space on the boards in its accused products, including what Cisco has calculated as the incremental value of additional space on such boards for logic circuitry, additional ASICs, or FPGAs, or to avoid the cost of daughter cards." Respectfully, the board layouts produced are not valuations of board space. SynQor was not put on notice that it should question Mr. Purnell on the January 30(b)(6) topics at the May 22 deposition.

DTX1456 through DTX1540 were produced in the period between May 23, 2015 and the June 9, 2015 close of expert discovery.

DTX1542 through DTX1676, DTX1701 through DTX 1762, and DTX1957 through DTX1963 were all produced after the June 9, 2015 close of expert discovery.

Dated: November 5, 2015

/s/ Bryan C. Mulder

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ATTORNEYS FOR PLAINTIFF SYNQOR, INC.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing, and accompanying exhibits, are being served on counsel of record via the Court's CM/ECF system on November 5, 2015.

/s/ Bryan C. Mulder
Bryan C. Mulder